

REMARKS

(A) Claim Objections

The Examiner objected to claims 6, 9, and 19, as being of improper dependent form for failing to further limit the subject matter of a previous claim. The Applicant believes that newly presented claims 29 and 39 show proper dependent format. In addition, claim 6 is now included in claim 25.

(B) Chan et al. in view of Vulcan et al. Rejection

Claims 1 through 2, and 11 through 12 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Chan et al. (5,786,764) in view of Vulcan et al. The Examiner stated that regarding claim 2, Chan et al. teaches a speech enabled automatic name dialer system for connection to a telephone system (PBX system 310, fig. 2) utilizing a user computer microprocessor 340, 440 Fig. 2-3 having a computer address book program for retrieval of name telephone data (col. 2, lines 8-33, col. 3, lines 35-47 and abstract). He further stated that the program-speech recognition engine running on the computer for retrieval of matched name from the directory is taught

be Chan et al.

Furthermore, he continued that Chan et al. teaches the creation of speech enabling phoneme sets for dialing by speaking a number utilizing telephone application programming interface (software in (col. 4, lines 5-8; col. 6, lines 57 -64) for use with telephones with PBX. He asserted that Chan et al. teaches the at least one computer having a microphone and a speaker. He continued that the telephone application programming interface provider is installed in the user computer, as well as the memory for storing, managing and supporting name-telephone data. He further asserted that Chan et al. teaches software having functional capabilities for accessing name-telephone data contained in the computer wherein converted phonemes are created and voice input is received from a microphone connected to the computer.

He concluded that Chan et al. does not clearly teach signaling to a router and to a private branch exchange to initiate dialing of a telephone number and to effect a telephone call within a telephone system. However, he stated that Vulcan et al. teaches these features and that it would be obvious for one of ordinary skill in the art at the time the invention was made to include Vulcan's et al. computer dialer for efficient call

connection management such that the system could efficiently route the telephone call with reduced charge.

Regarding claim 2 and 12, the Examiner stated that Chan et al. teaches the software to prompt a user to take a prescribed action for unmatched name form voice input.

Regarding claim 11, the Examiner stated that Chan et al. teaches all the features of the claim with the exception of teaching an internal network router for telephone calls via a PBX and the signaling to a router and PBX to initiate dialing of a telephone number to effect a telephone call within a telephone system. However, he stated that Vulcan et al. teaches these features and that it would be obvious for one of ordinary skill in the art at the time the invention was made to include Vulcan's et al. computer dialer for efficient call connection management such that the system could efficiently route the telephone call with reduced charge.

In response, the Applicant submits that the combination of Chan et al. and Vulcan et al. fails to establish a prima facie showing of obviousness for the following reasons. First, the Chan et al. reference supports a different system than the present invention.

Second, the structure of the combination of the two inventions is different from the present invention. Third, even if the combination were valid, the combination of the teachings of the two inventions would produce an object, which is different from the present invention. And fourth, the combination with Vulcan et al. fails to establish a prima facie showing of obviousness because of lack of motivation.

First, the Chan et al. reference supports a different system than the present invention. The Chan et al. disclosure is directed to a system that is dependent on the type of telephony equipment used, i.e., there is no telephone application telephone interface. The Applicant respectfully submits that the control software 100 in Fig. 1 relates to voice recognition detection. As shown in Fig. 1, step 100 is initiated in response to speech input 120 wherein the stored name that is the best match 130 is processed 130. These computer steps have no relation to managing the telephone applications.

In contrast to this, the present invention includes a telephone application programming interface. As stated in the specification, page 31, lines 8 through 14, the present invention allows for device-independent programming for telephone-line-based devices so that many

application programs can work with many telephone devices.

No such interface is included, or even suggested in the Chan et al. Therefore, the Chan et al. patent supports a different system from the present invention and should be removed as a reference.

Second, the structure of the combination of the two inventions is different from the present invention. If Chan et al. and Vulcan et al. were combined, the structure of the call management system of Vulcan et al. would include additional hardware of a tariff data server over the present invention. The tariff server as disclosed in Vulcan et al. The tariff server receives notifications of a change from one of the telephone service providers or a regulatory body. (col. 11, lines 6 through 9 The tariff server has on-line communication with the source of the changes, and the tariff server must be backed up and maintained. The present invention is directed for use with telephone systems having private branch exchanges wherein there is an interface with an address book program. There is no need to add additional hardware, which would incur more cost, to operate the voice to automatic telephone dialing of the present system. If Chan et al. were combined with Vulcan et al., the combination would produce a system that

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would be like using the computing power of a mainframe when a calculator would do. Thus, the structure of the combination of the two prior art patents is different from the structure of the present invention.

Third, even if the combination were valid, the combination of the teachings of the two inventions would produce an object, which is different from the present invention. Neither Chan et al. nor Vulcan et al. discloses a telephone application programming interface. Furthermore, newly presented claims 26 and 36 recite the feature of the router being connected to a private branch exchange that is telephone application programming interface compliant. The Applicant believes that no new matter has been added, since the specification on page 33, lines 8 through 10 disclose this feature.

And fourth, the combination with Vulcan et al. fails to establish a prima facie showing of obviousness because of lack of motivation. Since the Chan et al. patent discloses a voice dialing system that uses a PBX for directing calls, there is no need for Chan et al. to utilize additional servers of Vulcan et al. to direct telephone calls over a telephone system. The function of routing calls is present in Chan et al. and there would be no need to use another routing system.

(C) Chan et al. and Vulcan et al., in further  
view of Barber Rejection

Regarding claims 3 and 13, the Examiner stated that Chan et al. in view of Vulcan et al. fails to teach to prompt a user to speak a phone number when the voice inputted name does not match stored name-telephone data, and the conversion into signals for telephone dialing. He stated that Barber teaches a user prompt to speak a telephone number for voice activated dialing, such that the system could efficiently dial a telephone number by using the voice inputted telephone number. He further asserted that it would have been obvious to one skilled at the time the invention was made to modify Chan et al. above to include Barber's user prompt to speak a telephone number for voice activated dialing.

Regarding claims 4 and 14, the Examiner stated that Barber teaches the user prompt to speak name and telephone number during the call-in-process mode and in the idle mode (as shown in the abstract) for the user prompt to input name-telephone number to that commuter, and return to autodialing of user request name.

In response, the Applicant reasserts all the arguments in section (B) above in reference to the

combination of Chan et al. and Vulcan et al., and also submits that the additional combination with Barber fails to establish a prima facie showing of obviousness for the following reasons. First, Barber does not overcome the limitations of the base references to Chan et al. and Vulcan et al. Second, the prompt in Barber to speak telephone number and name/telephone number data is different from the telephone and prompt to speak name/telephone number data of the present invention. And third, there is no motivation to combine the art of Chan et al and Barber.

First, Barber does not overcome the limitations of the base references to Chan et al. and Vulcan et al. As discussed in section (B) herein above, both Chan et al. and Vulcan et al. fail to teach a telephone application programming interface. Likewise, Barber fails to teach this feature. The Barber art is directed to an external control unit which interfaces with a portable telephone. This system is directed to cellular technology and does not have the need for modems, not to mention a telephone application programming interface. Thus, the Barber disclosure does not overcome the limitations of the underlying prior art in determining obviousness of the present invention.



Second, the prompt in Barber to speak telephone number and name/telephone number data is different from the telephone and prompt to speak name/telephone number data of the present invention. In the Barber disclosure, a command either through a depression of a key or a voice input while in "Voice Input Mode" is needed to distinguish between entering a telephone number to be dialed or to enter a name to retrieve a telephone number from the database. A user of the Barber invention must designate a dialer key that prompts a user to speak a number to be dialed. When a user desires to access the name/telephone database, one must enter or say the command "directory". There is no teaching in Barber wherein a user is prompted to speak a telephone number when a match is not made on the name/telephone database. (Fig. 14, Fig. 16, Fig. 20, and Fig. 23).

In contrast to this, claims 3, 4, 13 and 14 of the present invention prompt a user to speak a phone number and to input name/telephone number data, after a voice inputted name does not match that address book's name/telephone number data. Thus, it can be seen that the function of prompting for name-telephone data of the present invention is different from the function of Barber

where a user must request entry of data mode.

And third, there is no motivation to combine the art of Chan et al. and Barber. The Chan et al. patent discloses a voice dialing system that uses a PBX for directing calls with landline telephones having modems. There is no suggestion or need for Chan et al. to utilize teachings from portable telephones having cellular technology, as taught by the Barber disclosure. Thus, there is no motivation to combine the art of Chan et al. and Barber.

(D) Chan et al. and Vulcan et al., in further  
view of Tatchell et al. Rejection

Regarding claims 5 and 15, the Examiner stated that Chan et al. in view of Vulcan et al. fails to teach to select telephone number from more than one number. He stated that Tatchell et al. teaches more than one telephone number to select for the voice dialing based on spoken name. He further stated that Tatchell et al. teaches the audible choice prompt for selecting telephone number from various places, and combinations thereof. He asserted that Tatchell et al. teaches an improved technique for voice dialing from a contact database. He concluded that it would have been obvious to one skilled

in the art at the time the invention was made to modify Chan et al. above to include Tatchell's et al. selection, such that a user could efficiently contact other telephone number based on the spoken name in the contact database.

Regarding claims 6 and 16, the Examiner stated that Tatchell et al. teaches selections via audible choices, the selection being spoken name as shown above.

In response, the Applicant reasserts all the arguments in section (B) above in reference to the combination of Chan et al. and Vulcan et al., and also submits that the additional combination with Tatchell et al. fails to establish a prima facie showing of obviousness for the following reasons. First, Tatchell et al. does not overcome the limitations of the base references to Chan et al. and Vulcan et al. Second, Tatchell et al. does not explicitly teach prompting for an audible choice to be voice-inputted by a user when a name contains more than one telephone number. And third, there is no motivation to combine the art of Chan et al and Tatchell et al.

First, Tatchell et al. does not overcome the limitations of the base references to

Chan et al. and Vulcan et al. As discussed in section (B) herein above, both Chan et al. and Vulcan et al. fail to teach a telephone application programming interface. Likewise, Tatchell et al. fails to teach this feature. The Tatchell et al. art is directed to a subscriber interface that manages telephone calls with a telephone switching center 10. As shown in Fig. 1 and in the disclosure (col. 7, lines 26 through 34), the telephone switching center does not include a telephone application programming interface. Thus, the Tatchell et al. disclosure does not overcome the limitations of the underlying prior art in determining obviousness of the present invention.

Second, Tatchell et al. does not prompt for an audible choice to be voice-inputted by a user when a name contains more than one telephone number. In determining which telephone number to select by audible user input when there is more than one telephone number for a given name, the Examiner inferred that Tatchell includes audible selection by location, such as work, home or office. However, Fig. 5b associates a spoken name phoneme for name only, as indicated in the spoken name column. Thus, under Bob Smith, there is only one spoken name for multiple

telephone locations. Because the Tatchell et al. disclosure uses visual display of information, the association in Fig. 5b would indicate that the choice is made from a selection of visual display. Thus, the Tatchell et al. disclosure does not teach selection by different telephone location.

And third, there is no motivation to combine the art of Chan et al. and Tatchell et al. The Chan et al. patent discloses a voice dialing system that uses a PBX for directing calls with landline telephones having modems. Tatchell et al. interfaces with a telephone switching center that does not include a PBX. Thus, there is no need for Chan et al. to utilize the teachings of Tatchell et al., since the telephone interfaces are different.

(E) Chan et al. and Vulcan et al., in further  
view of Will Rejection

Regarding claims 7 and 17, the Examiner stated that Chan et al. in view of Vulcan et al. fails to teach to await further input when contact name is not found, and if number found effect automatic dialing. The Examiner stated that Will teaches autodialing when one name is found, and when contact name not found, dialer

does not dial, and when contact name not found, dialer awaits further input, if number found, effect automatic dialing, if not default to caller. He concluded that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chan et al. above, and to include Will's telephone number from set to improve connection accuracy, such that the system could efficiently, accurately connect user's call by reducing connection error.

Regarding claims 8 and 18, the Examiner stated that Chan teaches that if name is not found, name and telephone number may be created by using mouse and keyboard.

In response, the Applicant reasserts all the arguments in section (B) above in reference to the combination of Chan et al. and Vulcan et al., and also submits that the additional combination with Will fails to establish a prima facie showing of obviousness for the following reasons. First, Will does not overcome the limitations of the base references to Chan et al. and Vulcan et al. And second, there is no motivation to combine the art of Chan et al. and Will.

First, Will does not overcome the limitations of the base references to Chan et al. and Vulcan et al. As discussed in section (B) herein above, both Chan et al. and Vulcan et al. fail to teach a telephone application programming interface. Likewise Will fails to teach this feature. The Will art is directed to a stand alone voice-dialing system for speech recognition which does not include a telephone application programming interface. Thus, the Tatchell et al. disclosure does not overcome the limitations of the underlying prior art in determining obviousness of the present invention.

And second, there is no motivation to combine the art of Chan et al. and Will. The Chan et al. patent discloses a voice dialing system that uses a PBX for directing calls with landline telephones having modems. Will uses telephone ports for directing calls. Thus, there is no need for Chan et al. to utilize an adaptive model of calling behavior, as taught by Will, since the two systems are directed to different dial-out modes to the public switched network.

(F) Chan et al. and Vulcan et al., in further  
view of Engelbeck et al. Rejection

Regarding claims 9 and 19, the Examiner stated that Chan et al. teaches a keyboard for entering data and software for creating names and associated telephone number.

Regarding claims 10 and 20, the Examiner stated that Chan et al. in view of Vulcan et al. fails to teach creating new entry by voice input. He stated that Engelbeck et al. teaches an improved system for voice activated dialing whereby a user may modify entries in the directory, such that a new name/telephone number may be added. He concluded that it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Chan et al. above, and to include Engelbeck's et al. modifying name/telephone entries for efficient updating and/or correction of the directory database.

In response, the Applicant reasserts all the arguments in section (B) above in reference to the combination of Chan et al. and Vulcan et al., and also submits that the additional combination with Engelbeck et



al. fails to establish a prima facie showing of obviousness for the following reasons. First, Will does not overcome the limitations of the base references to Chan et al. and Vulcan et al. Second, inputting of the telephone number in Engelbeck et al. is different from that function in the present invention. And third, there is no motivation to combine the art of Chan et al. and Engelbeck et al.

First, Engelbeck et al. does not overcome the limitations of the base references to Chan et al. and Vulcan et al. As discussed in section (B) herein above, both Chan et al. and Vulcan et al. fail to teach a telephone application programming interface. Likewise Engelbeck et al. fails to teach this feature. The Engelbeck et al. art is directed to a voice recognition database updating system that allows a user to add a name to a name/telephone number database. The system does not include nor teach a telephone application programming interface. Thus, the Engelbeck et al. disclosure does not overcome the limitations of the underlying prior art in determining obviousness of the present invention.

Second, inputting of the telephone number in Engelbeck et al. is different from this

function in the present invention. Engelbeck et al. discloses entering the telephone number on the keypad (Fig. 4, element 88). On the other hand claims 10 and 20 of the present invention include the feature of voice input of both the name and the telephone number.

And third, there is no motivation to combine the art of Chan et al. and Engelbeck et al. The Chan et al. patent discloses a voice dialing system that uses a PBX for directing calls with landline telephones having modems. The Engelbeck et al. relates to a voice recognition module which includes adding entries to a name/telephone number database. As described above, a user must enter the telephone number on a keypad when desiring to update the name/telephone number database. Thus, the Engelbeck et al. system is not entirely voice responsive. In addition, Chan et al. has its own voice system. Therefore, there is no need for Chan et al. to utilize a module that requires keyboard dialing of a telephone number.

#### CONCLUSION

In view of the foregoing amendments to the claims, and further in view of the above remarks,

and submission of formal drawings, all of the claims are believed to be allowable and an early and favorable response is earnestly solicited.

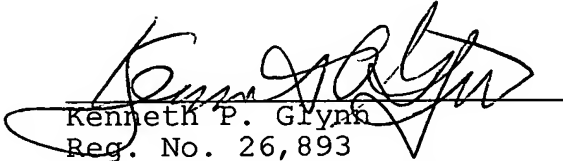
Thank you.

Respectfully submitted,

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